

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38160 of 2020**

Arising Out of PS. Case No.-165 Year-2020 Thana- SIKARPUR District- West Champaran

GOPAL SAH @ GOPALJI SAH, Son of Late Mukhlal Sah, Resident of
Bebaniya, P.S.- Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-02-2021 Heard both parties.

The petitioner seeks bail in Shikarpur P.S. Case No. 165/2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per prosecution case, 25 litres of country made liquor has been recovered from the *Phus* hut of this petitioner, kept in a sack.

It is submitted that nothing has been recovered from the conscious possession of this petitioner. Charge-sheet has already been submitted. Petitioner is in custody since 14.04.2020.

Considering the nature of allegation, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of the learned Special Judge, Excise, Bettiah, West Champaran, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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